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SIPDIS

DEPARTMENT FOR IO/HR, IO/GS, NEA

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TAGS: PREL UNCTAD UNHRC

SUBJECT: GOLDSTONE REPORT BACKLASH - SPECIAL SESSION AND
MORE

REF: A. GENEVA 783
1B. GENEVA 832
1C. GENEVA 839
1D. GENEVA 845
1E. GENEVA 782

Classified By: CDA Lawrence Richter, reasons 1.4 (b) and (d).

11. (C) SUMMARY: Fallout from the Goldstone report and the possibility of a Human Rights Council (HRC) special session on the matter (as early as next week) has led to a hardening of positions by both the Palestinian and the Israeli Missions in Geneva, leaving even less room than before for a constructive approach by either side. The Charge' met with Palestinian Authority PermRep Ibrahim Khraishi on October 8 to discuss the narrow issue of Israel's bid to join UNCTAD's Group B regional group, and received an earful about the Israeli PermRep having destroyed any trust by press declarations saying the Palestinian PermRep had bowed to U.S. pressure by delaying consideration in the HRC of the Goldstone report. Khraishi said those events, plus Israel's opposition to Palestine's WTO accession (not to mention possible Israeli war crimes), made any cooperation or concession to Israel impossible now. On October 9, Charge' met with Israeli PermRep Yaar, who echoed the view that in UNCTAD, ITU, the WTO and the HRC, Israel is in no position to budge an inch, and we should not expect Israel to be forthcoming with the Council about its investigations into the allegations contained in the Goldstone report. END
SUMMARY.

CURRENT SITUATION IN UNCTAD

12. (SBU) The UN Conference on Trade and Development (UNCTAD) operates by regional groups, and the group of states that includes the EU and JUZCANZ, Group B, invited Israel in December 2008 to join its regional grouping, and requested the UNCTAD Secretariat make arrangements for Israel to be considered a member of Group B for electoral purposes. Three successive UNCTAD Trade and Development Board Presidents (Bangladesh, Indonesia, and now Luxembourg) have passed on the request, and UNCTAD has yet to act on it.

13. (SBU) Following indications that some countries, acting on Palestine's behalf, would seek to again block action on Israel in UNCTAD, the Charge and EconCouns met with Ambassador Ibrahim Khraishi, Permanent Observer of Palestine to the UN, and his Deputy, Imad Zuhairi, on October 8, to solicit their views on the matter.

TRADE AND HUMAN RIGHTS CLOUD FUTURE

¶4. (C) An obviously agitated Khraishi spent the first several minutes of the meeting discussing the events related to HRC of the last few days and of his dismay that the Israeli PermRep had "lied" by telling the press that Khraishi had reached an agreement with him to delay the HRC action on the Goldstone report. (Note: We do not have the direct quote Khraishi referenced; however Israeli Ambassador Ronny Yaar was quoted in the press saying that the deferral was "proof that their (Israel's) strategy of not cooperating (with the Goldstone Mission) was correct." End note.)

¶5. (C) Khraishi said that until a few days ago they would not have opposed Israel's move to Group B; however there was no way the Palestinian Authority could be of any help to Israel now given the changed circumstances - namely, its PermRep's actions to discredit Khraishi by laying blame on him for the delay in the Human Rights Council of action on the Goldstone report. Khraishi said he was prepared to resign and that he had discussed future action with Palestinian President Abbas on Wednesday in Rome. Until there is a comprehensive settlement, Palestine is not interested in any more incremental agreements to try to build trust with Israel. He said the most damaging aspect of the current media storm over the Goldstone report is the loss of any trust he had with the Israeli PermRep. The UNCTAD regional group membership issue is "just a penny" compared to the WTO and war crimes issue, but Palestine is not prepared to give anything more to Israel at this point, he emphasized.

¶6. (C) Zuhairi reiterated that now is not the time for Israel to try to advance its membership change in UNCTAD. In response to the specific question of whether they would allow

the Israeli UNCTAD change to occur if Israel supported Palestinian accession in WTO, he said they would do so immediately. But he also noted that Israel as occupying power has to make much larger concessions than the Palestinians.

ISRAEL: NO DEAL ON ANYTHING

¶7. (C) On October 9, the Charge' met with Israel PermRep Yaar and Israeli Political Counselor Walid Abu-Haya to follow-up on discussions with the Palestinians of the day before. Yaar stated that Israel is having problems with the Palestinians in a multitude of international organizations. For example, he had tried to set up a meeting between Ministers of Communications attending the ITU Telecom World 2009 on a spectrum issue, but that had proven impossible (Note: he did not state why the meeting could not be set-up. End note.). At the Universal Postal Union (UPU), Director Eduard Dayan had visited Yaar this week about a Palestinian issue which will be taken up at UPU's upcoming Council meetings in Bern, and which Yaar had hoped would be settled by an Israeli offer to meet with the responsible Palestinian official. At the WTO, he said Israel shares U.S. opposition to observer status for the Palestinian delegation. At UNCTAD, Israel will postpone action on its Group B membership bid, but Yaar expressed his disbelief and dismay of the principle that the "PLO" (in his words) could block a sovereign decision among member states. He objected to any linkage between the issues, yet intimated that prior to this week he had been considering asking the U.S. to propose a swap of some kind between the Palestinian observer status at the WTO and Israeli membership in Group B of UNCTAD.

¶8. (C) Yaar said the Goldstone report is no longer the real issue; the issue is that "words are cheap" for Palestinians and that the Council is a "toy for the Arabs." There is absolutely no support in Israel to make any cooperative gestures or any other deal with the Palestinians. If a special session is held, Yaar said he would not even mention the Goldstone report, but would focus all his attention on the politicization of the Council on this matter and that the real issue at stake was the peace process.

¶9. (C) Asked what Israel's position would be regarding investigations into allegations contained in the report (as Yaar had discussed in recent meetings with A/S Posner and Legal Advisor Koh), Yaar said there had been some discussion in Jerusalem about briefing the President of the Council and the High Commissioner on Israeli investigations; however, there "was no more appetite" in Jerusalem because Israel felt it was under attack and it could not be seen as responding to such pressure.

LATEST WORD ON SPECIAL SESSION

¶10. (C) French PolOff informed us on October 9 that the Palestinians intended to hold the special session early or mid next week, possibly to coincide with the UNSC October 14 discussion of the matter. They will apparently use the same draft resolution text from the HRC 12 session (last week's text) as the starting point for the resolution that will come out of the special session, and they would add language concerning events occurring in Jerusalem over the past week (no further details). The Swedish Presidency is to discuss the matter with the Palestinians, although the EU does not yet have a common position on the issue. (Note: we are trying to reach the Palestinians to obtain confirmation of these points. End note.) We expressed our concern to the Secretariat and several European delegations about holding a special session. While they agree in principle, if the Palestinians or the OIC collect 16 member state signatures, the session will take place despite our objections. Abu-Haya called Polcouns at the time of sending this cable to inform us that Prime Minister Netanyahu asked S/E Mitchell for U.S. support in approaching the Palestinians and Pakistanis to prevent a special session from occurring.

COMMENT

¶11. (C) The Goldstone report has become a flash point and the events in Geneva over this past week show just how entrenched both parties have become in their positions. An increasing number of issues have become inter-linked, and neither party is currently willing to take any step to

decouple any issue. The worsening tone between Israeli and Palestinian delegations is symptomatic of a larger problem: trust between the two sides is eroding, making them unwilling to take any step that might be construed as a concession. Consequently, it will put the U.S. in a more difficult position to achieve breakthroughs on any of these issues. It also decreases the chances of achieving a consensual approach to the Council's handling of the Goldstone report, which in turn increases the risk of a very problematic resolution or one that isolates the United States as the lone no vote. End Comment.

RICHTER